

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THE C.I.A. CONSTRUCTION GROUP CORP.,

11-CV-0468 (BMC)

Plaintiff,

- against -

WESTCHESTER FIRE INSURANCE COMPANY,

NOTICE OF MOTION
TO VACATE JURY AWARD
AND/OR FOR A NEW TRIAL

Defendant.

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WESTCHESTER FIRE INSURANCE COMPANY,

Defendant/Third-Party Plaintiff,

- against -

L-C CONSTRUCTION CONSULTING CORPORATION,

Third-Party Defendant.

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PLEASE TAKE NOTICE THAT upon the annexed certification of Frank W. Brennan, Esq., sworn to on the 26th day of June 2012, together with the exhibits referenced and annexed to this motion, and upon all of the pleadings and proceedings heretofore had herein, plaintiff, C.I.A. Construction Group Corporation (“C.I.A.”), will move this Court at the United States Courthouse located at 225 Cadman Plaza East, Brooklyn, New York 11201, on the _____, _____ 2012 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Rule 59 of the Federal Rules of Civil Procedure, vacating and/or modifying the jury’s award of \$32,693.43 third-

party defendant L-C Construction Consulting Corporation or, alternatively granting plaintiff, C.I.A., a new trial.

Pursuant to Rule 59(c) of the Federal Rules of Civil Procedure plaintiff, C.I.A., requests time and leave of this Court to serve reply to any opposition filed and served by any party to this action.

Dated: Mineola, New York
June 26, 2012

s/
Frank W. Brennan, Esq.
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